

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “National Drought Preparedness Act of 2005”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents
- Sec. 2. Findings
- Sec. 3. Definitions
- Sec. 4. Effect of Act

TITLE I—DROUGHT PREPAREDNESS**SUBTITLE A—NATIONAL DROUGHT COUNCIL**

- Sec. 101. Membership and voting
- Sec. 102. Duties of the Council
- Sec. 103. Powers of the Council
- Sec. 104. Council personnel matters
- Sec. 105. Authorization of appropriations
- Sec. 106. Termination of Council

SUBTITLE B—NATIONAL OFFICE OF DROUGHT PREPAREDNESS

- Sec. 111. Establishment
- Sec. 112. Director of the Office
- Sec. 113. Office staff

SUBTITLE C—DROUGHT PREPAREDNESS PLANS

- Sec. 121. Drought Assistance Fund
- Sec. 122. Drought preparedness plans
- Sec. 123. Federal plans
- Sec. 124. State and tribal plans
- Sec. 125. Regional and local plans
- Sec. 126. Plan elements

TITLE II—WILDFIRE SUPPRESSION

- Sec. 201. Grants for prepositioning wildfire suppression resources

SEC. 2. FINDINGS.

Congress finds that—

(1) drought is a natural disaster;

(2) regional drought disasters in the United States cause serious economic and environmental losses, yet there is no national policy to ensure an integrated and coordinated Federal strategy to prepare for, mitigate, or respond to such losses;

(3) drought has an adverse effect on resource-dependent businesses and industries (including the recreation and tourism industries);

(4) State, tribal, and local governments have to increase coordinated efforts with each Federal agency involved in drought monitoring, planning, mitigation, and response;

(5) effective drought monitoring—

(A) is a critical component of drought preparedness and mitigation; and

(B) requires a comprehensive, integrated national program that is capable of providing reliable, accessible, and timely information to persons involved in drought planning, mitigation, and response activities;

(6) the National Drought Policy Commission was established in 1998 to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies;

(7) according to the report issued by the National Drought Policy Commission in May 2000, the guiding principles of national drought policy should be—

(A) to favor preparedness over insurance, insurance over relief, and incentives over regulation;

(B) to establish research priorities based on the potential of the research to reduce drought impacts;

(C) to coordinate the delivery of Federal services through collaboration with State and local governments and other non-Federal entities; and

(D) to improve collaboration among scientists and managers; and

(8) the National Drought Council, in coordination with Federal agencies and State, tribal, and local governments, should provide the necessary direction, coordination, guid-

ance, and assistance in developing a comprehensive drought preparedness system.

SEC. 3. DEFINITIONS.

In this Act:

(1) **COUNCIL.**—The term “Council” means the National Drought Council established by section 101(a).

(2) **CRITICAL SERVICE PROVIDER.**—The term “critical service provider” means an entity that provides power, water (including water provided by an irrigation organization or facility), sewer services, or wastewater treatment.

(3) **DIRECTOR.**—The term “Director” means the Director of the Office appointed under section 112(a).

(4) **DROUGHT.**—The term “drought” means a natural disaster that is caused by a deficiency in precipitation—

(A) that may lead to a deficiency in surface and subsurface water supplies (including rivers, streams, wetlands, ground water, soil moisture, reservoir supplies, lake levels, and snow pack); and

(B) that causes or may cause—

(i) substantial economic or social impacts; or

(ii) physical damage or injury to individuals, property, or the environment.

(5) **FUND.**—The term “Fund” means the Drought Assistance Fund established by section 121(a).

(6) **INDIAN TRIBE.**—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(7) **INTERSTATE WATERSHED.**—The term “interstate watershed” means a watershed that crosses a State or tribal boundary.

(8) **MITIGATION.**—The term “mitigation” means a short- or long-term action, program, or policy that is implemented in advance of or during a drought to minimize any risks and impacts of drought.

(9) **NATIONAL INTEGRATED DROUGHT INFORMATION SYSTEM.**—The term “National Integrated Drought Information System” means a comprehensive system that collects and integrates information on the key indicators of drought, including stream flow, ground water levels, reservoir levels, soil moisture, snow pack, and climate (including precipitation and temperature), in order to make usable, reliable, and timely assessments of drought, including the severity of drought and drought forecasts.

(10) **NEIGHBORING COUNTRY.**—The term “neighboring country” means Canada and Mexico.

(11) **OFFICE.**—The term “Office” means the National Office of Drought Preparedness established under section 111.

(12) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(13) **STATE.**—The term “State” means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

(14) **TRIGGER.**—The term “trigger” means the thresholds or criteria that must be satisfied before mitigation or emergency assistance may be provided to an area—

(A) in which drought is emerging; or

(B) that is experiencing a drought.

(15) **UNDER SECRETARY.**—The term “Under Secretary” means the Under Secretary of Agriculture for Natural Resources and Environment.

(16) **UNITED STATES.**—The term “United States”, when used in a geographical sense, means all of the States.

(17) **WATERSHED.**—

(A) **IN GENERAL.**—The term “watershed” means—

(i) a region or area with common hydrology;

(ii) an area drained by a waterway that drains into a lake or reservoir;

(iii) the total area above a designated point on a stream that contributes water to the flow at the designated point; or

(iv) the topographic dividing line from which surface streams flow in 2 different directions.

(B) **EXCLUSION.**—The term “watershed” does not include a region or area described in subparagraph (A) that is larger than a river basin.

(18) **WATERSHED GROUP.**—The term “watershed group” means a group of individuals that—

(A) represents the broad scope of relevant interests in a watershed; and

(B) works in a collaborative manner to jointly plan the management of the natural resources in the watershed; and

(C) is formally recognized by each of the States in which the watershed lies.

SEC. 4. EFFECT OF ACT.

This Act does not affect—

(1) the authority of a State to allocate quantities of water under the jurisdiction of the State; or

(2) any State water rights established as of the date of enactment of this Act.

TITLE I—DROUGHT PREPAREDNESS**Subtitle A—National Drought Council****SEC. 101. MEMBERSHIP AND VOTING.**

(a) **IN GENERAL.**—There is established in the Office of the Secretary a council to be known as the “National Drought Council”.

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Council shall be composed of—

(A) the Secretary;

(B) the Secretary of Commerce;

(C) the Secretary of the Army;

(D) the Secretary of the Interior;

(E) the Director of the Federal Emergency Management Agency;

(F) the Administrator of the Environmental Protection Agency;

(G) 4 members appointed by the Secretary, in coordination with the National Governors Association—

(i) who shall each be a Governor of a State; and

(ii) who shall collectively represent the geographic diversity of the United States;

(H) 1 member appointed by the Secretary, in coordination with the National Association of Counties;

(I) 1 member appointed by the Secretary, in coordination with the United States Conference of Mayors;

(J) 1 member appointed by the Secretary of the Interior, in coordination with Indian tribes, to represent the interests of tribal governments; and

(K) 1 member appointed by the Secretary, in coordination with the National Association of Conservation Districts, to represent local soil and water conservation districts.

(2) **DATE OF APPOINTMENT.**—The appointment of each member of the Council shall be made not later than 120 days after the date of enactment of this Act.

(c) **TERM; VACANCIES.**—

(1) **TERM.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), a member of the Council shall serve for the life of the Council.

(B) **EXCEPTION.**—A member of the Council appointed under subparagraphs (G) through